

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:08CR38
)
vs.) ORDER
)
BRUCE VALENTINE,)
)
Defendant.)

This matter is before the court on the motion of Assistant Federal Public Defender Michael F. Maloney and the Office of the Federal Public Defender to withdraw as counsel for the defendant, Bruce Valentine (Valentine) (Filing No. 26). Mr. Maloney represents he has a conflict of interest in this matter. Mr. Maloney's and the Office of the Federal Public Defender's motion to withdraw (Filing No. 26) is granted. Chad Douglas Primmer, 506 Main Street, Council Bluffs, IA 51503 (712) 323-5881, is appointed to represent Valentine for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Maloney shall forthwith provide Mr. Primmer with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Maloney which are material to Valentine's defense.

Valentine will be given **until April 18, 2008**, in which to file any pretrial motions in accordance with the progression order (Filing No. 16). The ends of justice have been served by granting such additional time to file pretrial motions and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting such time, i.e., the time between **March 31, 2008 and April 18, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B). The trial of this matter will be rescheduled following the disposition of any pretrial motions or the expiration of the pretrial motion deadline.

IT IS SO ORDERED.

DATED this 31st day of March, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge